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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,837	01/16/2001	Kei Yoshida	PHJ-99007	8697

24737 7590 05/23/2003

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EXAMINER

AKKAPEDDI, PRASAD R

ART UNIT PAPER NUMBER

2871

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/743,837

Applicant(s)

YOSHIDA, KEI

Examiner

Prasad R Akkapeddi

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 10 February 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Objections

2. Claims 13-15 are objected to because of the following informalities: The claimed limitation 'the reflection layer and pixel electrode layer are in the same layer and in common' is not shown in the figures. In the figures it is shown that the reflection layer (13 or 13') is on top of the pixel electrode layer (12) and are not in the same layer. Appropriate correction is required.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed limitation 'the reflection layer and pixel electrode layer are in the same layer and in common' must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4 and 6, 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funahata in view of Sekiguchi (U.S. Patent No. 6,084,650).

a. As to the newly added limitations in claims 1, 6 and 8: Funahata does not disclose a color filter layer having two portions with one portion transmitting colors of the primary colors and the other portion transmitting light components of predetermined wavelengths. Sekiguchi on the other hand, in disclosing a LCD device, discloses the color filter layer having two portions (fig. 2- 4) where the

portion with the color filters (11, 12 and 13) transmit the three primary colors and the portion (14) that transmits light (external col.5, line 7) with no attenuation.

The portion (14) as shown can transmit either white light or any light component of predetermined wavelength, since there is no attenuation (col. 7, lines 60-65 and col. 9, lines 8-15). Sekiguchi also discloses that a transparent electrode layer (9) (Fig. 21) is located on and in contact with a side of one main surface of the liquid crystal layer (16) on which extraneous light is incident as recited in claim1. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the color filter layer as disclosed by Sekiguchi to the display of Funahata to achieve enhanced light transmittance and a bright display and also enable it to effect display with good efficiency by use of an auxiliary light source under condition of insufficient external light.

6. Claims 7 and 11- 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funahata and Sekiguchi as applied to claims 2 and 3 above, and further in view of Hikiba Masayuki (Hikiba) JP-11295717.

Funahata discloses a color filter transmitting the three primary colors. Sekiguchi, in addition discloses a second portion for transmitting external light. Although external light can be of any color(s) including white light, Sekiguchi does not explicitly disclose that the external light is white light. Hikiba on the other hand, in disclosing a liquid crystal display device, discloses a filter layer transmitting layer with three primary colors (R,G,B) and a portion transmitting white (W) light. Therefore, it would have been obvious to one having ordinary skill

in the art at the time the invention was made to adapt the filter layer as disclosed by Hikiba to improve the brightness and to control the color temperature of white light independently of three primary colors.

7. Claims 5, 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funahata in view of Sekiguchi.

Funahata does not disclose that the reflection layer and the pixel electrode layer are in the same layer and in common. Sekiguchi discloses (col. 7, lines 49-51) that the display electrodes (15) constituted as reflecting films meaning that they are in the same layer and in common. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the color filter layer as disclosed by Sekiguchi to the display of Funahata to achieve enhanced light transmittance and a bright display.

Response to Arguments

8. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prasad R Akkapeddi whose telephone number is 703-305-4767. The examiner can normally be reached on 7:00AM to 5:30PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

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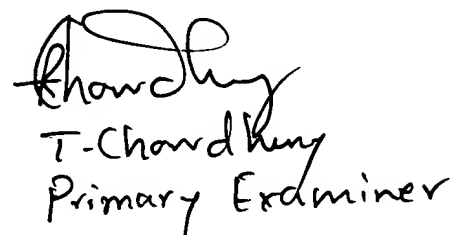
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0530.

A handwritten signature, possibly reading 'JRA', with a diagonal line through it.

May 14, 2003

A handwritten signature, likely 'T. Chandhry', with the name and title 'Primary Examiner' written below it.

T. Chandhry
Primary Examiner